

State Water Resources Control Board

September 14, 2017

(Via email and Certified Mail)

CERTIFIED MAIL

NO. 7015 1520 0001 7928 3164

Mr. Douglas Belcher
Fleet Manager
City of Sunnyvale
P.O. Box 3707
Sunnyvale, California 94088
dbelcher@sunnyvale.ca.gov

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM
LOCATED AT SUNNYVALE PUBLIC SAFETY CENTER, 700 ALL AMERICA
WAY, SUNNYVALE**

Dear Mr. Belcher:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on September 12, 2017, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain B Form – The tank information form in CERS incorrectly lists the overfill prevention mechanism as a ball float; however, a flapper was observed at the time of inspection.	Emergency Generator	September 12, 2017	Ongoing	23 CCR 2711(a)
2	Failure to Maintain Monitoring Plan – The Monitoring plan in CERS lists “yes” to piping meets exemption criteria; however, the tank information form indicates that this is a conventional suction system and not a safe suction system. Safe suction was unable to be demonstrated at the time of inspection.	Emergency Generator	September 12, 2017	Ongoing	23 CCR 2711(a)(9)

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SQBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

No.	Violation	Tank	Start Date	Stop Date	Regulation
3	Failure to Tag Monitoring Equipment – The automatic tank gauge did not have a current certification tag.	Emergency Generator	September 12, 2017	Ongoing	23 CCR 2638(f)
4	Failure to Monitor Product Piping – The sensor in the piping sump was unable to detect a leak at the earliest opportunity because it was located on the wrong side of the sump not directly beneath the product piping and there was liquid in the sump.	Emergency Generator	September 12, 2017	Ongoing	23 CCR 2630(d)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Sunnyvale Department of Public Safety within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Ms. Rebecca Green
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
rebecca.green@waterboards.ca.gov

Local CUPA

Ms. Roseanne Asuncion
Hazardous Materials Inspector
Sunnyvale Department of Public Safety
P.O. Box 3707
Sunnyvale, California 94088
rasuncion@sunnyvale.ca.gov

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: See next page.

cc: *(via email only)*

Ms. Roseanne Asuncion, M.S.
Hazardous Materials Inspector
Sunnyvale Department of Public Safety
rasuncion@sunnyvale.ca.gov